

DETAILED ACTION

Applicants' After Final response of October 8, 2010, to the Action on the Merits of this case mailed May 14, 2010, is acknowledged. It is acknowledged that Applicants have cancelled Claim 16 and amended Claims 15, 21, and 25-28. Claims 1-15 and 17-33 are pending. Claims 1-14, 17-20, 22-24, and 30-33 were previously withdrawn as being drawn to nonelected inventions. Claims 15, 21, and 25-29 are hereby reconsidered.

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Claims

Cancel Claims 1-14, 17-20, 22-24, and 30-33.

Replace Claims 15, 21, and 29 with:

-15. A substantially purified polypeptide comprising the amino acid sequence of SEQ ID NO: 3 and having cellulase activity.-

-21. A purified polypeptide having cellulase activity prepared by

(a) culturing a host cell transformed with an expression vector in a suitable culture medium under suitable conditions to produce the cellulase; and

(b) obtaining said produced cellulase,

wherein the expression vector comprises a polynucleotide that encodes a polypeptide comprising the amino acid sequence of SEQ ID NO:3 and is operably linked to one or more control sequences that direct the production of the polypeptide in the host cell.-

-29. A feed additive comprising the substantially purified polypeptide according to claim 15.-

Amend Claim 25, as follows:

For Claim 25, line 1, replace –the polypeptide- with -the substantially purified polypeptide-.

Authorization for this examiner's amendment was given by Jonathan Kaplan on October 19, 2010.

Allowable Subject Matter

Claims 15, 21, and 25-29 are allowed.

The following is an examiner's statement of reasons for allowance.

All allowable claims, Claims 15, 21, and 25-29, are limited to isolated proteins comprising the amino acid sequence of SEQ ID NO: 3. The utility of the amino acid sequence of SEQ ID NO: 3, as having cellulase activity, is credible based on expression in heterologous host cells and analysis by an enzymatic assay using carboxymethylcellulose (Examples 3-6).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheridan L. Swope whose telephone number is 571-272-0943. The examiner can normally be reached on M-F; 9:30-7 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Mondesi, can be reached on 571-272-0956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published application may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on the access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/SHERIDAN SWOPE/
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